

REMARKS

Claims 1-18 were examined and reported in the Office Action. Claims 1-3, 8-13 and 18 are rejected. Claims 4-7 and 14-17 are objected to. Claim 18 has been amended. No claims have been cancelled. Claims 1-18 remain.

Applicant requests reconsideration of the application in view of the following remarks.

It is asserted in the Office Action that Claim 18 is rejected under 35 USC 101 because the claim does not meet 35 USC 101 requirements. In response, Applicant has amended Claim 18 in order to comply with 35 USC 101 and to particularly point out and distinctly claim the subject matter of the present invention without adding any new matter.

Accordingly, reconsideration and withdrawal of the rejection to Claim 18 under 35 USC 101, is respectfully requested.

It is asserted in the Office Action that Claims 1-3 and 12-13 are rejected under 35 USC 103(a) as being unpatentable over Paek et al. (7,143,434), and Claims 8-11 and 18 are rejected under 35 USC 103(a) as being unpatentable over Paek et al., in view of Kan et al. (6,728,314), the Examiner alleging that Paek disclose technical features of segmenting a motion picture temporally and storing descriptors as metadata.

In response, Applicant notes that Paek fails to disclose segmenting motion picture temporally as claimed. Although Paek does disclose partitioning digital image into several regions, that is, Paek discloses segmenting digital image regionally, it does not disclose segmenting a motion picture temporally as required by the claims. Additionally, although Paek discloses searching a digital image, Paek does not disclose storing the motion picture shape descriptor as metadata.

Applicant further notes that the metasearch engine in Paek is nothing but a search engine which sends a user's query to several other search engines (i.e. Target Search Engine 1 (170), Target Search Engine 2 (171), Target Search Engine n (175) of FIG.7 in Paek). Thus, Applicant submits that although Paek arguably discloses storing descriptors as metadata based

upon the description at column 17, lines 1-7 and lines 30-40 as alleged by the Examiner, Applicant submits that such disclosure does not lead to a conclusion that Paek discloses metadata which corresponds to motion picture shape descriptor as set forth in the claims. That is, the claims require storing the motion picture shape descriptor as metadata. However, Applicant submits that the fact that Paek teaches a metasearch engine does not lead to the conclusion that Paek teaches storing a motion picture shape descriptor as metadata.

Accordingly, Applicant submits that Paek does not disclose storing the motion picture shape descriptor as metadata as claimed, or segmenting a motion picture temporally and storing the motion picture shape descriptor as metadata as claimed. Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections is respectfully requested.

In view of the foregoing, it is believed that all claims now pending, namely Claims 1-18, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If Examiner believes that a telephone conference would be useful in moving the application forward to allowance, Examiner is encouraged to contact the undersigned at (310) 207 3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.


Linda Metz

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